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Committee on Economic, Social and Cultural Rights

Fifty-second session

Summary record of the 17th meeting
Held at the Palais Wilson, Geneva, on Thursday, 8 May 2014, at 10 a.m.

Chairperson: Mr. Kedzia

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The meeting was called to order at 10 a.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Second periodic report of China (continued) (E/C.12/CHN/2; E/C.12/WG/CHN/Q/2 and Add.1-3; HRI/CORE/CHN/2010)

Third periodic report of Hong Kong, China (continued) (E/C.12/CHN-HKG/3; E/C.12/WG/CHN/Q/2 and Add.2; HRI/CORE/CHN-HKG/2013)

Second periodic report of Macao, China (continued) (E/C.12/CHN-MAC/2; E/C.12/WG/CHN/Q/2 and Add.3; HRI/CORE/CHN-MAC/2010)

1. *At the invitation of the Chairperson, the delegation of China took places at the Committee table.*

2. **Mr. Wu** Hailong said that the Chinese delegation included representatives of the authorities of the Hong Kong Special Administrative Region and the Macao Special Administrative Region, as well as high-level representatives inter alia from the Supreme People's Court, the United Front Work Department, central State ministries responsible for education, civil affairs, human resources and social security and culture, State bodies dealing with ethnic affairs, health and family planning, religious affairs, information policy and women and children's affairs and other relevant government agencies.

3. In October 2009 an interdepartmental coordinating body had been set up under the leadership of the Ministry of Foreign Affairs to examine the issues covered by the Covenant, thanks to which the Government had submitted its second periodic report and replies to the list of issues on time and had coordinated the drafting and submission of the periodic reports and replies from Hong Kong, China and Macao, China. The Government had held consultations with nearly 20 NGOs, including the Chinese Academy of Social Sciences and the All-China Women's Federation, and had also sought public input through the website of the Ministry of Foreign Affairs.

4. China had made efforts to further improve the legal framework for economic, social and cultural rights. The phrase "the State shall respect and protect human rights" had been introduced into the Constitution in 2004, marking a milestone in the endeavour to protect human rights and promote the rule of law, and human rights strategies had been incorporated into the eleventh and twelfth national plans for economic and social development. Prompted by the recommendation issued by the Committee in 2005, the Government had launched two national human rights action plans, in 2009 and 2012. The third plenary session of the Eighteenth Central Committee of the Chinese Communist Party had in 2003 taken far-reaching decisions to improve the protection of human rights in the judicial system.

5. The rights to subsistence and development were constantly given the highest priority. Between 2003 and 2012, the economy had grown by an average of 10 per cent per year, and the disposable income of the urban population and net income of people living in rural areas had both increased significantly. China had become the first country to reach the poverty reduction objective of the Millennium Development Goals, and it had done so ahead of schedule. Increased food production and new laws and bodies devoted to food safety had contributed to the realization of the right to food, and affordable urban housing projects had met the needs of over 36 million households.

6. The Government was now turning its attention to regularizing the situation of rural people who had moved to cities and towns, renovating shanty towns and assisting in the

urbanization of the central and western regions. Each of those three initiatives would benefit some 100 million people.

7. In 2007 China had adopted the Employment Promotion Act, which had instituted a system of employment assistance and a public employment service. Following the 2008 financial crisis, the Government had invested some 4 trillion yuan renminbi (RMB) in various projects, 65 per cent of which were aimed at maintaining and improving the standard of living. The first national plan on employment promotion was currently under way, covering the period until 2015. Under the basic old-age pension scheme, coverage was steadily expanding, and the systems for people registered in urban and rural areas had recently been consolidated so as to ensure equity of treatment for all people working in cities and to revamp the social security system in the countryside.

8. China spared no effort to ensure the right to education and cultural rights. Numerous laws had been adopted addressing inter alia compulsory education, vocational training and private schooling, and a nine-year compulsory education system had been established covering the entire population, free of charge. The Government had invested some RMB 58 trillion between 2003 and 2012 to support the development of cultural services and had completed a project whose aims included providing free access to libraries, cultural centres, museums, art galleries and neighbourhood cultural facilities. The Government would now divert more resources to the improvement of education in the central and western areas and in the countryside.

9. Efforts had begun to tackle the problem of air pollution in cities. Between 2010 and 2013, emissions of ammoniacal nitrogen, nitrogen dioxide and nitrogen oxides had decreased nationwide, and an action plan to prevent atmospheric pollution had been drawn up in an effort to reduce the level of smog. Penalties for pollution had been stiffened, and protection of vulnerable or sensitive environmental zones had been strengthened with an amendment to the Environmental Protection Act. Some 98.2 per cent of the urban population had access to safe drinking water, and water quality was improving.

10. A national health insurance system had been established covering all people registered in both urban and rural areas. The system for the reporting of infectious diseases and sudden outbreaks of public health incidents had proved its worth. In 2009 China had been the first country to research, register and produce a vaccine following the spread of the H1N1 influenza. Its emergency response mechanism for people affected by the H7N9 avian influenza had contributed to lowering the fatality rate.

11. The laws relating to the situation of women, elderly persons, minors and persons living with disabilities all contained explicit prohibitions against discrimination, and three national programmes had been drawn up to promote gender equality and women's development. Life expectancy of women had surpassed 77 years by 2010, and women accounted for some 46 per cent of the workforce. Over 70 per cent of school-age children with disabilities were enrolled in school. Special enterprises employed nearly 600,000 persons living with disabilities, and over 10 million persons living with disabilities received support through the subsistence security system.

12. As China was a multi-ethnic country, the Government was committed to a system of regional ethnic autonomy. The chief executives of the local administrations in all Autonomous Regions and prefectures were from local ethnic groups, and each group was represented in the National People's Congress and the National People's Political Consultative Conference. Preferential policies were applied in minority regions in respect of taxation and school enrolment. The Government had recently increased by 30 per cent the resources allocated to the Ethnic Minority Development Fund, raising it to RMB 3.69 billion in 2013.

13. China was also actively engaged in international cooperation for human rights and maintained close relations with international agencies and organizations such as the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Children's Fund and the World Health Organization, with extensive cooperation in the fields of human rights education, poverty elimination, child protection, gender equality and HIV/AIDS prevention. The Chinese Government provided economic and technical assistance to over 120 developing countries. China was party to 26 international human rights instruments and had received visits from a number of United Nations special procedures mandate holders, including those dealing with the right to food, the right to education and women's rights.

14. There was always room for improvement in the promotion and protection of human rights. China had the second largest economy in the world, but it ranked eightieth in average per capita gross domestic product (GDP), with imbalances in development between urban and rural areas and among the country's regions. The country's economic and social development faced problems owing to bottlenecks in the provision of energy and resources and because of environmental issues. Over 100 million Chinese citizens still lived in poverty. The Eighteenth Congress of the Communist Party of China had unveiled a blueprint for further development, in particular with two long-term goals: first, to double GDP and average per capita income between 2010 and 2020, and second, for China to become a modern socialist country enjoying prosperity, democracy, a level of civilization and harmony by the middle of the century. As China moved forward, there would certainly be greater progress in the protection of economic, social and cultural rights.

15. **Mr. Lau** Kong-wah (Hong Kong, China) said that Hong Kong had instituted a statutory minimum wage in 2011 and had set a poverty line in 2013. In 2014 a low-income working family allowance would be established, with a structure encouraging families to remain employed, thus promoting self-reliance. Some 200,000 beneficiary families with eligible children or young people would be able to receive a supplemental child allowance under that scheme. The education system too had been improved. The duration of free-of-charge schooling had been extended to 12 years, and a new structure had been put in place to promote whole-person development and improve life-long learning. There was also increased support for Chinese language education for ethnic minorities.

16. Hong Kong was continuing to improve and expand the public health-care system, for example by constructing new hospitals and improving existing ones. The annual amount of the health-care voucher provided to the elderly would soon be doubled to HK$ 2,000. To help low-income families find adequate housing, there were plans to add over the next 10 years some 470,000 housing units, 60 per cent of which would be in public housing. To ensure the enjoyment of cultural rights, Hong Kong was forging ahead with the development of the West Kowloon Cultural District and would be opening a range of cultural and artistic facilities beginning in 2015. The authorities would continue to develop arts programmes, promote education in the arts and nurture new talent.

17. **Mr. Chan** Hin Chi (Macao, China) said that the Basic Law of the Macao Special Administrative Region provided constitutional protection of the basic rights and freedoms of the people of Macao and was the foundation for laws and statutes that protected all kinds of human rights. Following the consideration of the first report submitted by Macao to the Committee in 2005, a law on the employment of non-resident workers had been adopted, and investment had increased in basic social protection and medical allowances. A 15-year system of education provided schooling free of charge, and subsidies for continuing education and public housing had increased. Human rights education and awareness campaigns had been conducted for civil servants, judicial officers and members of the law enforcement community.

18. **Mr. Schrijver** (Country Rapporteur), noting that in the period under review a large number of people had been lifted out of poverty in China and that the Government had provided nearly universal primary education and improved health care, acknowledged some of the recent policy reforms, including the decision to abolish re-education through labour and the relaxation of the one-child policy. The Committee was still concerned about disparities in China, notably those that persisted between urban and rural areas, between the eastern and western parts of the country and between regions inhabited by minorities and other areas. The fast pace of economic development contrasted with the uneven enjoyment of economic, social and cultural rights, and a dichotomy remained between the realization of economic, social and cultural rights and civil and political rights in China.

19. The delegation should elaborate on the relationship between economic, social and cultural rights and certain civil rights, for instance the right to life, freedom of association in trade unions and the right to a cultural identity, including freedom of religion. In the view of the Committee, the ratification by China of the International Covenant on Civil and Political Rights would be a major step forward for the country.

20. The steps taken by China, Hong Kong and Macao towards the establishment of national human rights institutions still fell short of compliance with the Paris Principles, and the delegation should describe any further plans to move forward in that regard. The Committee was also concerned that the legislative system was not sufficient to ensure the effective protection of all human rights, and that human rights training and awareness of the Covenant and the rights it established were insufficient in the vast judiciary system, notwithstanding recent reforms such as the institution of a national examination for the judiciary and the establishment of codes of conduct for judges.

21. While the State party's report mentioned the Government's efforts to deal with the problem of corruption, the Committee would like to hear an assessment of the achievements of the anti-corruption policy and of the obstacles encountered in its implementation, especially in respect of the judiciary.

22. The Government had announced in its twelfth five-year social and economic development plan that it would now shift the focus away from economic development, to social and human development. Would more freedom for workers be part of that shift? The Committee would like to know whether the Government would consider withdrawing its declaration under article 8, paragraph 1 (a), of the Covenant in respect of freedom of association. The Chinese Trade Union Act did not include a provision on the right to strike, which was not consistent with article 8 of the Covenant. What would the Government do to better protect the rights of human rights defenders? Noting the relatively high unemployment among members of ethnic minorities and their limited access to social services and social security, he asked what measures were planned to protect their rights and to what extent the Government consulted and cooperated with them on such matters. The fate of migrant workers in mainland China, and also in Hong Kong and Macao, was a question of concern to the Committee, as their limited labour rights and the exclusion of such workers and their families from social welfare systems, schooling and health care were problems that had to be addressed.

23. **Mr. Kerdoun** asked why the State party had not established a national human rights institution in compliance with the Paris Principles; whether it planned to transpose the Covenant provisions into national law so that they could be invoked directly in court; and whether it would ratify the Optional Protocol to the Covenant. He invited the delegation to provide specific examples of countries that had received overseas development assistance from China to help to reduce or eliminate their debt and details of the outcomes of that aid. Noting that China had close links with a number of developing countries in Africa and was involved in many major construction projects, he said that an explanation of its long-term strategy for cooperation with Africa would be useful. He would particularly like to know

whether the objective was to obtain access to energy and other natural resources and thus to support growth in China; whether the aid provided by China affected enjoyment of the Covenant rights in beneficiary countries; and whether there were any aid programmes designed specifically to foster and support those rights.

24. **Ms. Shin** asked whether the Committee's previous concluding observations (E/C.12/1/Add.107) had been widely disseminated at all levels of society, including, in particular, among members of the judiciary, law enforcement officials and NGOs, as had been recommended; whether the concluding observations issued following the current review would be widely circulated; and, if so, what mechanisms had and would be used to achieve that aim. Noting that the sample of "nearly 20 national-level non-governmental organizations" consulted in the preparation of the current report was tiny for a country the size of China, she urged the State party to consult NGOs and civil society more widely prior to reporting and to extend and enhance NGO engagement in general.

25. With regard to the absence of a national human rights institution, she wished to add that, although, as reported, a number of departments within various ministries might be developing and implementing human rights policies and action plans, none of those bodies had the autonomy that was a prerequisite for an institution complying with the Paris Principles. Was further consideration being given to the possibility of establishing a fully compliant institution in mainland China, and also in Hong Kong and Macao?

26. Expressing concern that the lack of a stand-alone anti-discrimination act that contained comprehensive definitions and encompassed all possible grounds of discrimination, including ethnicity, gender, age and disability, might impede understanding and application of non-discrimination and equality principles, she asked whether any such legislation was in the pipeline. The reform of the *hukou* household registration system was a welcome advance, but information about measures adopted to address the situation of the estimated 50 to 60 million citizens living outside the *hukou* system was also needed.

27. It was disappointing that only two pages of the national human rights action plan were dedicated to women's rights. Women's rights should be mainstreamed in all policy areas and all sections of the plan. She would like to know, in that connection, whether policies were subject to gender impact assessments and gender-responsive budgeting, and whether a system for compiling gender-disaggregated data was in place.

28. Since human rights violations in developing countries, including environmental degradation, had sometimes been connected with overseas development assistance, she would like to know whether the State party conducted human rights impact assessments of its overseas development projects and whether State-owned enterprises involved in such projects were subject to ongoing State control and supervision.

29. **Mr. Sadi** asked how successful the country's new leadership had been in its efforts to combat corruption and to protect the climate and the environment. With China rapidly becoming a private-sector led economy, information about the impact of the transition on economic rights would be appreciated, as would details of the outcomes of the two national human rights action plans. With regard to the State party's Going Global Strategy, he noted that the strategy should include human rights guidance for Chinese enterprises active outside China.

30. The policy objective of ensuring "at least one woman in local government leadership at the county level and above" mentioned in the State party's replies to the list of issues (E/C.12/CHN/Q/2/Add.1) was at best extremely modest and he urged the State party to adopt more ambitious quotas. Lastly, more information about how the reform of the *hukou* system would help to protect Covenant rights would be helpful.

31. **Ms. Bras Gomes** reiterated the need for a comprehensive anti-discrimination act that would ensure protection for specific groups such as Tibetans, other ethnic minorities and members of the lesbian, gay, bisexual, transgender and intersex community. With regard to development assistance, she asked how the State party monitored the overseas activities of State-funded entities such as the China Development Bank, which had reportedly been involved in activities leading to forced evictions and violations of the right to food and water; how the Government responded to reports of potential violations overseas; and how it ensured that prior, informed consent was obtained from the local communities that were to be displaced or otherwise affected.

32. **Mr. Atangana** asked what the State party was doing to ensure that the Covenant provisions could be invoked in court and what measures had been adopted to reduce or eliminate corruption.

33. **Mr. Abdel-Moneim** said that, despite its huge industrial base, the State party remained a developing country and, as such, was entitled to apply article 2, paragraph 3, of the Covenant, subject to certain limits. Its industrial and agricultural base and economic infrastructure had been achieved precisely because China had been able to exercise its right to development and that right was key to the implementation of all Covenant rights.

34. **Mr. Ribeiro Leão** asked what mechanisms were used to determine wage levels and whether the calculations were linked to labour market supply and demand and company results. He would also like to know what the State party was doing to ensure that health and safety conditions at work were not compromised by the country's rapid economic expansion and whether any specific health and safety improvement plan was in place.

35. **Ms. Bras Gomes** said that, despite significant progress in relation to the right to social security, she perceived a number of gaps in the safety net. The entitlements, if any, of migrants and other workers in transient employment were not clear. It was also unclear whether all beneficiaries received the same minimum basic standard pension, irrespective of where they lived; and whether the pension was indexed to the cost of living and, if so, whether the cost of food and medicines was factored into the calculation. She would also like to know whether the "sunlight of assistance" publicity campaign mentioned in paragraph 71 of the replies to the list of issues was a one-off initiative or part of an ongoing effort to raise awareness of social security entitlements across the country; whether the *hukou* system continued to restrict access to social benefits; and what provisions were in place to ensure adequate protection for persons who had made smaller social security contributions during their working life. Noting, lastly, that migrant workers in Macao could apparently agree to enter a private pension scheme with their employers, she asked what the State was doing to encourage and promote awareness of such agreements.

36. **Mr. Martynov** asked to what extent the State party's progress in combating unemployment could be attributed to the 2011–2015 national employment promotion plan and whether statistics attesting to its results were available. Information about the 2007 State Council Regulation that had instituted a 1.5 per cent quota for the employment of persons with disabilities would be useful. In particular, he wished to know whether the quota applied to both public and private enterprises; how successfully it was being enforced in the different parts of the country and different sectors of the economy; and how rates of employment for persons with disabilities differed between urban and rural areas. Lastly, noting that around 500 million persons were currently participating in the rural and urban pension insurance schemes, he sought details of the State party's target participation rate. Was 100 per cent participation the ultimate goal and, if so, when might that goal be achieved?

The meeting was suspended at 11.35 a.m. and resumed at noon.

37. **Ms. Li** Xiao (China) said that domestic legislation in China was fully compatible with the Covenant. No conflict or contradiction was perceived to exist between the two and all courts adhered strictly to the provisions of domestic law and thus, as a corollary, to the provisions of the Covenant. In recent years the legislature had made considerable advances in transposing the provisions of international instruments into criminal and civil procedural law. Citizens who considered their rights to have been violated were entitled to compensation under domestic compensation law.

38. **Ms. Liu** Hua (China) said that, when China had ratified the Covenant, the provisions of its Constitution, the prevailing trade union and labour laws and its unique historical and national circumstances had necessitated a reservation to article 8, paragraph 1. That reservation did not imply that the Covenant provisions were not respected. The All China Federation of Trade Unions was highly effective in conveying the recommendations of its members to Government and monitoring the authorities' work, ensuring respect for the rights of trade union members. The possibility of withdrawing the reservation would, however, be given due consideration.

39. With regard to the possibility of ratifying the Optional Protocol, it was important to note that in China responsibility for resolving individual complaints was considered to lie with the Government and that a comprehensive system of domestic remedies that adhered to Covenant standards was available to persons who deemed their rights to have been violated. When hearing such complaints the people's courts referred to Chinese law to give effective protection to the rights of citizens, thereby complying with the spirit of the Covenant.

40. **Mr. Shen** Lin (China) said that targeted measures had been adopted to help to reduce the development gap between ethnic minority regions and the rest of China. The disparities were for the most part a reflection of the urban-rural divide. At the national level, the State Council had drawn up three specific assistance plans, the first designed to promote development in ethnic minority regions, the second to bring economic prosperity to those regions and the third specifically targeting minority groups with small populations. The minority populations were concentrated in five Autonomous Regions and three provinces, each of which had also adopted its own development plan. Some of the more developed provinces aided those regions by allocating between 3 and 5 per cent of their finances to them. Assistance currently accounted for around 44 per cent of the budgets of ethnic minority regions in the west of the country.

41. **Mr. Basangcir**[illegible]**n** (China) said that, under the Constitution, all ethnic groups were considered equal, and that the Government prohibited any discrimination against or oppression of ethnic minorities. Preferential treatment was afforded to such minorities in the recruitment of State officials, and special schools had been set up and funds earmarked for students from ethnic minority groups, who received additional marks when sitting examinations. Progress had also been made in the field of public health, thanks in part to the efforts of persons living in the Autonomous Regions of Tibet and Xinjiang, which had moved into a new stage of development. It could not, therefore, be stated that ethnic minorities in those regions were subjected to discrimination.

42. **Mr. Kuang** Sheng (China) said that China, as a multi-faith and multi-ethnic country, had always sought to encourage freedom of religion. The customs and habits of all religions were respected, and believers and non-believers shared a relationship based on mutual respect and peaceful coexistence. The Government gave preferential treatment to certain ethnic minority religions by, for example, providing funds to restore places of worship, and religious festivals were frequently celebrated in numerous parts of the country.

43. **Mr. Gu** Shengkai (China) said that the Government of China attached great importance to protecting the rights of persons with disabilities. In 2008, the Protection of Disabled Persons Act had been amended to include explicit references to the Convention on the Rights of Persons with Disabilities. In total, more than 60 laws and regulations had been adopted to prevent discrimination against such persons, and the Ministries of Education and Labour and Social Security systematically conducted inspections throughout the country in order to uncover potential cases of discrimination. Victims of discrimination could file complaints directly with government departments, which were required to act accordingly.

44. With regard to the employment of persons with disabilities, he said that, by 2020, each province would be required to employ at least one State or party official with a disability. Moreover, in the recruitment of civil servants, preferential treatment had to be given to persons with disabilities when all other conditions were equal. A fund had been established to guarantee the employment of persons with disabilities, and companies and Government departments that failed to meet their targets in that regard were required to pay money into the fund.

45. **Ms. Li** Jian (China) said that, while China did not have a comprehensive anti-discrimination act, its laws on the protection of the rights and interests of women, minors, the elderly and persons with disabilities contained specific provisions defining the offence. The *hukou* system, which was being reformed, no longer had an impact on the approval and distribution of social security benefits under the *di bao* scheme, which was amended in line with price increases. A new interim measure for the provision of social assistance would come into force in May 2014, addressing the problems caused by the *hukou* system.

46. **Mr. Lau** Kong-wah (Hong Kong, China) said that legislative safeguards for the protection of human rights in Hong Kong were enshrined in the Basic Law, which prescribed the fundamental rights and freedoms of persons living in the region. Article 39 of the Law stipulated that the provisions of the Covenant and the International Covenant on Civil and Political Rights remained in force in Hong Kong, and a number of ordinances, which were enforced by the Equal Opportunities Commission, granted protection from discrimination on account of sex, disability, family status or race. The privacy of individuals in relation to personal data was protected by an ordinance drafted by the Office of the Privacy Commissioner for Personal Data. The Government's performance in the area of human rights was open to scrutiny by the United Nations through the regular submission of reports, which were prepared following consultations with the general public, legislative councils and relevant forums, in accordance with established practice. The Government was of the opinion that the existing mechanism for the protection of human rights was working well, and that there was no obvious need to establish another human rights institution, which would merely duplicate the work that was already being carried out.

47. The Equal Opportunities Commission had, by and large, conformed to the Paris Principles in terms of independence, autonomy, pluralism, resources and the authority to take legal action. It was a statutory body whose powers and functions were protected by law, and whose members possessed expertise in a range of fields.

48. With regard to the rights of ethnic minorities, the Race Discrimination Ordinance, which had been enacted in July 2008 and had come fully into force in July 2009, allowed any victim of racial discrimination in the areas of education or employment to file a complaint with the Equal Opportunities Commission, which organized conciliation proceedings and, if those failed, provided assistance in lodging a civil claim. As stated in the 2014 Policy Address, the Government would implement a number of measures to strengthen educational support and employment services for ethnic minorities with a view to helping them integrate into the community.

49. The definition of race contained in the Race Discrimination Ordinance was in line with the International Convention on the Elimination of All Forms of Racial Discrimination. The vast majority of new arrivals in Hong Kong from the mainland were of the same ethnic origin as that of most permanent residents in the region, and any differences in their accent or personal habits did not distinguish them as a separate racial group. Various policy bureaux and departments provided a wide range of services to facilitate the social integration of new arrivals from the mainland, including educational support, employment counselling, and social welfare and housing assistance.

50. **Mr. Chow** Wing-hang (Hong Kong, China) said that migrant workers were granted full statutory protection on an equal basis with national citizens. The standard employment contract for foreign domestic helpers provided for a minimum allowable wage, a food allowance and free accommodation, medical treatment and passage to and from their place of origin. Abuse of migrant workers was not tolerated, and victims were encouraged to come forward through the provision of free conciliation services and access to legal aid. All complaints that were supported by sufficient evidence would be prosecuted in accordance with the law.

51. **Mr. Chan** Chun-tak (Hong Kong, China) said that a comprehensive social security assistance scheme was in place to provide financial support to vulnerable groups in Hong Kong. Persons with disabilities were offered free medical treatment and monthly payments to cover their needs, while low-income working families living below the poverty line received assistance in accordance with the number of children in the family. Trust funds for emergency situations were available to families and individuals irrespective of their residency status.

52. **Mr. Ribeiro Leão** enquired whether there was a comprehensive programme in China to combat poverty and, if so, what main areas it covered.

53. **Mr. Pillay** asked for information on the number of forced evictions being carried out each year, and how many investigations were being conducted into illegal evictions and demolitions. The delegation should indicate how many persons had been prosecuted in connection with such offences. He asked whether the State party would consider adopting national guidelines for forced evictions in line with international standards, particularly the Committee's general comment No. 7.

54. Lastly, he wished to know what corrective measures the Government was taking to address the shortage of public housing in Hong Kong, which had led to a surge in rental prices and lengthy waiting lists, even for the elderly.

55. **Ms. Shin** said she wished to know the time frame for the adoption of domestic violence legislation in China. The new law should provide for prevention, protection for victims and punishment of perpetrators. She noted that similar draft legislation was being considered in Macao but that, in failing to recognize domestic violence as a social crime, it was not adequately promoting respect for the human rights of victims.

56. She called on the authorities in Hong Kong to take steps to tackle the serious issue of separation between mothers and their children, due to a lack of provisions allowing Chinese mothers to reside in the region. The delegation should indicate whether the national health insurance system that was being developed would cover migrants and ethnic minorities. It should also state what measures were being taken to combat prenatal sex selection, forced abortion and the high number of Chinese baby girls being put up for adoption.

57. **Mr. Dasgupta**, referring to plans to divert river water from southern to northern China in order to address shortages, asked whether an environmental impact assessment had been conducted to determine the effect on water quality. If so, the delegation should

indicate what results had been obtained, and whether public consultations had been held on the issue.

58. **Mr. Atangana** asked why domestic violence legislation, which had been under consideration since 2008, had not yet been adopted. He wished to know how many prosecutions and convictions there had been for cases of domestic violence, and whether there were any statistics indicating the extent of the problem.

59. **Mr. Abdel-Moneim** enquired what mechanism was in place to stabilize food prices and ensure that consumer prices did not increase disproportionately. He asked whether the delegation could confirm reports that there was an entire city in China for low- and middle-income families and, if so, whether it possessed any additional information on the matter. Lastly, the delegation should indicate whether the State party planned to introduce a wealth tax.

60. **Mr. Schrijver** asked what steps were being taken to prevent discrimination against persons with HIV/AIDS and their families.

61. **Ms. Ravenberg** said she wished to know whether the programme to provide Chinese-language education to ethnic minorities and additional resources for school-based support in Hong Kong was under way. Regarding the National Human Rights Action Plan 2009–2010, she asked whether measures guaranteeing nine years of compulsory education to the children of migrant workers had been implemented and, if so, with what results. The delegation should indicate whether there was an agency responsible for enforcing such measures. Noting that the National Human Rights Action Plan 2012–2015 contained a policy granting equal rights to education to the children of migrant workers, she asked what progress had been made in that respect.

62. **Mr. Marchán Romero** asked whether informed consultations were held with ethnic minorities prior to large-scale projects affecting their land and, if so, under what conditions. He also asked whether China observed the principle of self-identification of ethnic minorities, and whether it respected the individual and collective rights of such groups and their members, particularly with regard to cultural identity.

The meeting rose at 1 p.m.